

After sitting through and hearing both sides case of this matter at hand, and further listening and reviewing all of the competent evidence presented by both sides and rendering any necessary credibility determinations, I find that the Plaintiff has failed to meet her burden of proof, beyond a mere preponderance of the evidence, that the Defendant acted in any other manner than in a purely academic and fair way and Plaintiff failed to establish that it acted arbitrarily and/or capriciously.

Furthermore, Plaintiff has failed to establish that the University based the awarded grade of a C+ on anything other than purely academic reasons. ^h

More specifically, with regard to the plaintiff's two claims for breach of contract against Lehigh University in which she contends that the University failed to act in accordance with its handbook and evaluated her performance based on non-academic standards such as on the alleged bias of religion, the court finds that the plaintiff has failed to present sufficient evidence establishing that the defendant breached its duty to her or that it acted in an arbitrary or capricious manner when evaluating her academic performance in the practicum.

In addition, concerning the plaintiff's claim that Lehigh University violated Title IX (nine) of the Civil Rights Law, 20 U.S.C. s. 1681, which prohibits sex discrimination in higher education, the plaintiff failed to present sufficient evidence establishing that the defendant engaged in any discriminatory acts towards her or that it applied any non-academic standards in evaluating her in her course of study. Further, the plaintiff failed to present sufficient evidence establishing that the grade given to her was based on anything other than the Professor's purely academic evaluation and determination that the plaintiff was unprepared to move on to the next level of her practicum